

FRUITPORT CHARTER TOWNSHIP BOARD OF TRUSTEES

MEETING MINUTES OF DECEMBER 10, 2012

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A work session of the Fruitport Charter Township Board began at 6:15 p.m. on Monday, December 10, 2012, in the township board room.

Members Present: Brian Werschem, Supervisor; Carol Hulka, Clerk; Rose Dillon, Treasurer; Trustees Ron Becklin Dave Markgraf, Marjorie Nash and Chuck Whitlow. Member Absent: None

At 7:00 p.m., Supervisor Werschem opened the regular meeting with the Pledge of Allegiance and a prayer.

Also Present: 2 – residents; 0 – employees; Director of Public Works, Farrar; Director of Public Safety, Doctor; and Attorney Ted Williams

The meeting minutes of November 26, 2012—regular meeting—were approved as presented.

The motion by Rose Dillon, seconded by Carol Hulka, was carried unanimously, to approve the meeting agenda for December 10, 2012 with the following correction: Change the approval of board meeting minutes dated November 19, 2012 to November 26, 2012.

PUBLIC COMMENTS – None received

CORRESPONDENCE / REPORTS

Planning Commission board meeting minutes of November 27, 2012
Parks and Recreation meeting minutes of November 26, 2012.

UNFINISHED BUSINESS -- none

NEW BUSINESS

12-092 Reappointment of Joe DeMarco to Zoning Board of Appeals

The motion by Ron Becklin, seconded by Dave Markgraf, was carried unanimously, to reappoint Joe DeMarco to another 3-year term on Zoning Board of Appeals.

12-093 Reappointment of John Winskas to Zoning Board of Appeals

The motion by Dave Markgraf, seconded by Carol Hulka, was carried

unanimously,
to reappoint John Winkas to another 3-year term on Zoning Board of Appeals.

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12-094 Denial of Zone Change Request

On November 27, 2012, the Fruitport Township Planning Commission considered a zone change request as follows:

From R4 (Rural, Residential, Recreation and Agriculture) to R1 (Residential) for the following parcels:

#61-15-123-100-0001-00 5054 s. Sheridan Road, Muskegon

#61-15-123-100-0002-00 2593 E. Ellis Road, Muskegon

#61-15-123-100-0002-20 E. Ellis Road, Muskegon

#61-15-123-100-0002-30 2533 E. Ellis Road, Muskegon

#61-15-123-100-0002-40 2563 E. Ellis Road, Muskegon

From B3(Service Business District) to R1 (Residential) for parcel

#61-15-123-100-0002-10 Airline Road, Muskegon

The planning commission voted to recommend to the township board to deny the zone change requests for the reason to allow and provide for the straightening of zoning districts.

After further discussion, the planning commission voted to deny the zone change requests because (1) the parcels don't fit with the master plan and (2) the parcels are adjacent to B3 zoning and along Airline Road.

Ron Becklin moved, Chuck whitlow seconded, MOTION CARRIED, to deny the zone change requests for Parcel #61-15-123-100-0001-00, 61-15-123-100-0002-00, 61-15-123-100-0002-20, 61-15-123-100-0002-30, 61-15-123-100-0002-40, and 61-15-123-100-0002-10, as recommended by the planning commission. Reasons for the denial are as follows: (1) contradictory to the master plan, (2) sets a precedence to also rezone other properties along Airline Road and (3) best use of the parcels is commercial use. (Engle)

Ayes: Becklin, Whitlow, Markgraf, Hulka, Dillon, Nash, Werschem Nays: None

12-095 Water and Sewer Connection Fees

Chuck Whitlow moved, seconded by Ron Becklin, MOTION CARRIED, to freeze the current 2012 water and sewer connection fees for 2013 until the matter can be studied further.

Ayes: Whitlow, Becklin, Nash, Dillon, Hulka, Markgraf, Werschem Nays: None

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12-096 Mill Iron Water Main Extension

Jericho Road Church purchased property located at the south east corner of Mill Iron and Broadway Avenue for its new location. The church is required to provide a fire suppression system.

Chuck Whitlow moved, Dave Markgraf seconded, MOTION CARRIED, to proceed with the installation of a 12" water main in Mill Iron Road, from Musketawa Trail to Broadway Avenue, contingent upon the owner of 2808 Mill Iron Road signing an agreement binding it to pay its share of the water connection charges; and to authorize the Supervisor, Clerk, and Director of Public Utilities to sign and execute an Engineering agreement with Prein & Newhof, and a payment agreement with 2808 Mill Iron Road; further, name the Supervisor as the township's representative to the project.

Ayes: Whitlow, Markgraf, Hulka, Dillon, Nash, Becklin, Werschem Nays: None

12-097 Closed Session to review Privileged Attorney Communications

Chuck Whitlow moved, Dave Markgraf seconded, MOTION CARRIED, to go into closed session at 7:05 p.m. to review privileged attorney communications.

Ayes: Whitlow, Nash, Hulka, Markgraf, Becklin, Dillon, Werschem Nays: None

The motion by Chuck Whitlow, seconded by Dave Markgraf, was carried unanimously,
to return to open session at 8:10 p.m.

12-098 Payment of Bills

Carol Hulka moved, Marjorie Nash seconded, MOTION CARRIED, to approve bills for payment in the following amounts: General Fund & Parks: \$14,391.56; Public Safety \$35,610.98; Water: \$11,712.36; Sewer: \$4,854.26
Total: \$66,569.16

Ayes: Hulka, Nash, Becklin, Whitlow, Markgraf, Dillon, Werschem Nays:
None

PUBLIC COMMENTS #2 – None received

ADDITIONAL REPORTS -- None received

12-099 Adjournment

The meeting adjourned at 8:23 p.m.

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CAROL HULKA, CLERK ☐ ☐ ☐ ☐ ☐ **BRIAN WERSCHEM, SUPERVISOR**

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